

III. REMARKS

Claim 2 has been amended as requested. It is therefore submitted that it is no longer objectionable.

Claims 1-3, 5-18 and 20-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirai in view of Lee.

Lee discloses an arrangement that can be used for identifying a caller from the ring tone associated with him in the receiving terminal. A caller may transmit a ring tone to a database maintained by an exchange that then informs the called party about the tone ("ring tone download") prior to the call establishment phase with a separate procedure (see figures 4 and 5).

Therefore Hirai and Lee seem to be quite similar by nature. As the Examiner states on page 4 of the Office Action, Hirai and Lee can be combined to "generate a ring tone selected by a caller in a radio terminal in order to more efficiently determine the identity or priority of the calling party". The present invention is actually about something else; it enriches the real-time communication by additional effects and it's not about mere connection establishment personalization.

In particular, the object of the current invention is to personalize the user's mobile station and cultivate real-time communication by making it more versatile (page 2, lines 30-33). The object is achieved by expanding existing properties to be used in other operating areas than currently known (page 3, lines 1-3). For example, as stated on page 3, lines 17-19, the traditional function of the ringing sounds in mobile stations are to call attention, i.e., inform of an incoming

call. According to the present invention, this feature of ringing sound is applied to another, inventive area and use, whereas according to Hirai especially the ringing tone (among other patterns) is set by the calling party for identification, as is stated in Hirai, e.g., page 1, lines 4-8.

The object of Hirai is to provide a portable terminal device which enables a user to immediately identify a calling party by utilization of a sounding pattern issued for reporting the arrival of an incoming call to the user (page 3, lines 1-5). Hirai concentrates on identifying a calling party, and thus the called party is informed beforehand, not in real-time during the connection as in the present invention, of a pattern to be used for reporting an incoming call set by the calling party. Since the pattern for identifying a calling party is set by the calling party according to Hirai, it is obvious that the called party must know the identifying pattern beforehand in order to identify the calling party based on the pattern. Thus without a doubt, and as clearly stated in the description of Hirai, the pattern is always transmitted to the callee beforehand in a separate text message with a separate connection.

Also the pattern in Hirai is used for different purposes, i.e., reporting an incoming call, whereas in the present invention the transmitted pattern is used in other operating areas than normally, e.g., for personalizing and making real-time communication more versatile, simulating senses, transmitting a feeling, state or condition.

Hirai discusses how messages are used "for reporting the nature of the call" (page 33, lines 6-7). The advantage achieved is, as stated in the last sentence of page 33, that

called party can immediately, without talking with the remote end, ascertain the nature of the incoming call. This advantage of Hirai can indeed be achieved only if the messages and other patterns reporting the nature of the incoming call or identifying the calling party are transmitted to the called party before the incoming call is connected, i.e., before establishing or maintaining the connection, thus being contrary to the current invention.

The current invention, see page 4, lines 21-22, provides, on the other hand, alternative means of attracting attention during a voice call to facilitate the use of a mobile station among users with sensory defects. For example, for users having hearing disabilities it is possible to transmit supporting real-time sensations through a vibration or a blinking effect. Similarly, a vibration effect may be activated by a connection and used during the connection for alerting a user to the connection and used during the connection for alerting a user to the continuously rising phone bill, for example. These additional effects strengthen the original auditory effect and give the content of the speech or other audio signal a vivifying plating that cannot be transmitted via speech-communication only or by utilizing the solution of Hirai.

As a conclusion, the objective technical problem arising from the differences between the current invention as claimed and Hirai, about which a person skilled in the art could have been aware of on the priority date of the current application, is to make real-time communication more versatile and accordingly, to flexibly personalize the relating terminal device(s). The problem is solved according to the current invention so that data relating to alternative effects for

simulating various senses are first transferred/activated by an established connection and that the effects are also produced while still maintaining the same primary connection. Hirai, on the other hand merely uses different effects to identify a calling party, so it completely relates to a phase before establishing the communications connection in question. In addition, even though receiving a text message may trigger playing a sound or displaying a message in Hirai prior to the voice call establishment phase, the connection (neither the initial connection for the text message nor the following connection for the voice call) is not active at the time of producing the effects, thus vitiating the benefits offered by the current invention; starting from Hirai it would not be obvious to a skilled person to end up with a solution of the current invention for enriching the communications experience in real-time fashion, i.e., producing the effects while still maintaining the communications connection that was also cleverly used for transferring/activating the effects.

Considering traditional mobile calls where prior to the established connection an exchange/base station signals the target mobile station about an incoming call, the situation is not similar to the current invention either as the possible effects (ringing, vibration, text on the display) are not transferred/activated and produced by the same, primary communications connection, e.g., the call, between the true ends of the call (caller and callee).

Claims 1 and 13 recite that the first and second effects are produced while maintaining the connection. Since even if Hirai and Lee are combined, the resulting combination lacks this feature, the rejection of claims 1-3, 5-8 and 20-27 should be withdrawn.

Claims 4 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirai in view of Lee and further in view of Armanto.

Armanto is about sending ring tones over an SMS message(s) to a mobile phone, which has practically nothing to do with the various personalization aspects of the current invention.

Thus adding it to Hirai and Lee does not result in the present invention. Hence the rejection of claims 4 and 19 should be withdrawn.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge \$220 payment for the additional claims fee and a one-month extension of time, as well as credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

Henry I. Steckler
Henry I. Steckler
Reg. No. 24,139

Oct 12, 2005
Date

Perman & Green, LLP
425 Post Road
Fairfield, CT 06824
(203) 259-1800
Customer No.: 2512

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Date: 10/12/05Signature: Rufus M. ShultzName: Lisa Shimizu

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